

February 11, 2015

VIA ECF

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square, Room 1106
New York, NY 10007

Re: *Hyundai Merchant Marine Co., Ltd. v. Mitsubishi Heavy Industries, Ltd.*,
Docket No. 14 Civ. 7965
Joint Letter of Counsel

Dear Judge Schofield:

The undersigned counsel for both parties respectfully submit this joint request for an adjournment of the April 1, 2015 deadline for discovery concerning issues of personal jurisdiction and forum non conveniens. This is the first request for an adjournment.

The Court's December 22, 2014 Scheduling Order (copy is enclosed) sets April 1, 2015 as the deadline by which the parties have to complete interrogatories, initial requests for production and depositions on the topics of forum non conveniens and personal jurisdiction; April 15 as the date by which Defendant shall file its pre-motion letter, if any; April 22, 2015 as the date by which Plaintiff must respond to any such letter; and April 29, 2015 as the date for a pre-motion conference. We respectfully request a 30-day adjournment of these discovery deadlines.

The Court's Scheduling Order provides that the April 1, 2015 deadline will not be extended "absent a showing of diligence and good cause." We jointly confirm the parties have and continue to work diligently to exchange documents, and have made considerable progress. Plaintiff served its First Request for the Production of Documents, First Set of Interrogatories and Notice of Deposition Pursuant to Fed. R. Civ. P. 30 (b)(6) on Defendant on January 5, 2015. This was preceded by a discussion among counsel concerning draft requests with the aim of eliminating potential objections. Counsel for defendant is coordinating with his clients in Japan and has advised that, in light of the need for translation of some of the documents, and the difficulties that come with coordinating an extensive document production, he will make his production by the end of February.

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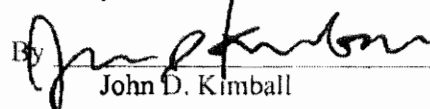
Defendant served its First Request for the Production of Documents and First Set of Interrogatories on plaintiff on January 23, 2015. Plaintiff is in the process of collecting documents and will be responding by February 23, 2015.

The parties have made diligent and concerted efforts to schedule depositions of defendant's witnesses in Tokyo in advance of the Court's April 1 deadline. However, due to long-standing conflicts for both parties, we have been unable to find dates in March that work for both parties. The conflicts include hearing dates in HMM's New York arbitration with Nike, Inc. (which relates to these proceedings), a long-planned family vacation for HMM's lead counsel, and a long-standing speaking engagement for MHI's lead counsel. The parties have set aside April 9 and 10, 2015 to conduct depositions in Tokyo, provided this Court is willing to extend the discovery deadline.

In light of the foregoing, the undersigned respectfully request a 30 day adjournment of the dates set in the scheduling order. The parties further request the Court adjourn the pre-motion conference to May 28, 2015 at 10:30 A.M. or another date and time that is convenient for the Court.

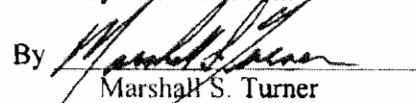
Respectfully submitted,

BLANK ROME LLP
Attorneys for Plaintiff

By 
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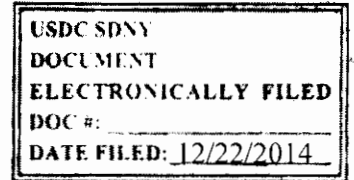
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



HYUNDAI MERCHANT MARINE CO., LTD.,
Plaintiff,

-against-

MITSUBISHI HEAVY INDUSTRIES, LTD.,
Defendant.

14 Civ. 7965 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS the parties shall engage in limited discovery concerning issues of personal jurisdiction and forum non conveniens.

It is hereby ORDERED that discovery concerning personal jurisdiction and forum non conveniens shall be completed by April 1, 2015. The parties shall confer and set deadlines -- prior to April 1, 2015 -- for interrogatories, initial requests for production, and depositions on these subjects. The parties may revise these deadlines without further order of the Court provided they comply with the April 1, 2015, deadline, which will not be extended absent a showing of diligence and good cause.

It is further ORDERED that, pursuant to Section III of the Court's Individual Rules, Defendant MHI shall file its pre-motion letter, if any, no later than April 15, 2015. Plaintiff shall respond no later than April 22, 2015. The Court will hold a pre-motion conference on April 29, 2015, at 10:30 A.M.

SO ORDERED.

Dated: December 22, 2014
New York, New York

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE